

DEMOND DUNSON,)
)
 Plaintiff,)
)
 vs.) **Civil Case No. 06-482-DRH-PMF**
)
 DR. ELYEA, et al.,)
)
 Defendants.)

On November 2, 2007, a deadline was set for plaintiff to either request entry of default and default judgment against defendant Dr. Jatala or show cause why the claim should not be dismissed for lack of prosecution. A copy of the order was sent to plaintiff at the address he provided to the Clerk. The deadline expired several months ago. Plaintiff made no effort to seek entry of default or default judgment and also made no effort to show why he failed to pursue his claim against

defendant Jatala. The only reasonable inference to be drawn from these circumstances is that plaintiff has abandoned the claim following his release from confinement.

IT IS RECOMMENDED that plaintiff's claim against defendant Dr. Jatala be DISMISSED for want of prosecution. If this recommendation is adopted, no claims will remain for decision.

SUBMITTED: May 19, 2008 .

s/Philip M. Frazier _____

PHILIP M. FRAZIER

UNITED STATES MAGISTRATE JUDGE